

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF PUERTO RICO

ALEX MARCANO GARCIA,	*
	*
Plaintiff	*
	*
vs.	*
	CIVIL NO. 98-1804 (JP)
ZOE LABOY ALVARADO, et al.,	*
	*
Defendants	*
	*

FINAL JUDGMENT

The Court has before it Co-Defendant Felix Rodriguez's "Motion to Dismiss" (**docket No. 44**). The Court finds that nowhere does the Complaint allege a cause of action against Rodriguez in his personal capacity and, to the extent it alleges a cause of action against him in his official capacity, he is entitled to sovereign immunity under the Eleventh Amendment. The Court therefore hereby **GRANTS** Co-Defendant Rodriguez's motion to dismiss and **ENTERS JUDGMENT, DISMISSING WITH PREJUDICE** the Complaint against Co-Defendant Rodriguez in his personal and official capacity without costs or attorney fees.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 23rd day of June, 2004.

S/ Jaime Pieras, Jr.

JAIME PIERAS, JR.
U. S. SENIOR DISTRICT JUDGE